IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

ROBERT BROCKWAY, individually and on) MDL 1586
behalf of all others similarly situated,) 04-MD-015863
)
Plaintiff,)
)
VS.) Cause No. 10-cv-1887
)
EVERGREEN INTERNATIONAL TRUST)
AND EVERGREEN INVESTMENT)
MANAGEMENT COMPANY, LLC,)
)
Defendants.)

NOTICE OF APPEAL

Notice is hereby given that Robert Brockway, plaintiff in the above named case,¹ on behalf of himself and all others similarly situated, hereby appeals to the United States Court of Appeals for the Fourth Circuit from the orders entered in this action, including the order terminating this action entered on the 20th day of April, 2011.

By: /s/Robert L. King
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¹ This case was styled in the district court as Carl Kircher and Robert Brockway, individually and on behalf of all others similarly situated v. Putnam Funds Trust, Putnam Investment Management, LLC, Evergreen International Trust, and Evergreen Investment Management Company, LLC. The Court separately entered judgment on Carl Kircher's claims against the Putnam defendants pursuant to Rule 54(b) on January 19, 2011. In accordance with Federal Rule of Appellate Procedure 3(c)(1)(A), Plaintiff Brockway has "specif[ied] the party or parties taking the appeal by naming each one in the caption ... of the notice." Because Mr. Brockway is now the only named plaintiff, and the only party taking the appeal, he has not included Carl Kircher in the caption or the body of this notice.

CERTIFICATE OF SERVICE

The undersigned certifies that service of the foregoing document was made by means of the Notice of Electronic Filing on May 19, 2011, to the following counsel of record:

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